

ENTERED

February 28, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION

ERICA L. HOLLOWAY,

Plaintiff,

v.

BDM MUD, LLC, Q'MAX AMERICA,
INC., PRI OPERATING, LLC, EASTHAM
DRILLING, INC.

Defendants.

§
§
§
§
§
§
§
§
§
§

Civil Action No. 6:20-CV-00052

ORDER ACCEPTING MEMORANDUM AND RECOMMENDATION

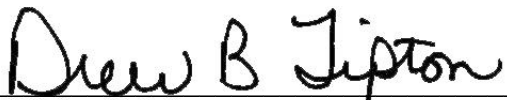
Before the Court is the October 3, 2022 Memorandum and Recommendation ("M&R") of Magistrate Judge Mitchel Neurock. (Dkt. No. 23). In the M&R, Magistrate Judge Neurock recommends that the Court (1) grant Defendant's Motion to Dismiss, (Dkt. No. 14), and (2) dismiss with prejudice Holloway's claims against Defendants for failure to prosecute. (Dkt. No. 23).

The Parties were provided proper notice and the opportunity to object to the M&R. See 28 U.S.C. § 636(b)(1). Neither party objected. As a result, review is straightforward: plain error. *Guillory v. PPG Indus., Inc.*, 434 F.3d 303, 308 (5th Cir. 2005).

No plain error appears. Accordingly, the Court **ACCEPTS** the M&R, (Dkt. No. 23), as the Court's Memorandum Opinion and Order. The Court **GRANTS** Defendants' Motion to Dismiss, (Dkt. No. 14), and **DISMISSES WITH PREJUDICE** Holloway's case for failure to prosecute.

It is SO ORDERED.

Signed on February 27, 2023.



DREW B. TIPTON
UNITED STATES DISTRICT JUDGE